

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BABYAGE.COM, INC. et al.,

Plaintiffs,

v.

TOYS "R" US, INC., et al.,

Defendants.

Civil Action No. 05-cv-06792-AB

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the undersigned parties that, in accordance with Federal Rule of Civil Procedure 41(a)(2), each and every claim against Toys "R" Us, Inc., Toys "R" Us-Delaware, Inc., and Babies "R" Us, Inc. is dismissed with prejudice and without costs to any party.

Dated: January 5, 2011

REED SMITH LLP

FARUQI & FARUQI, LLP

s/ Melissa Rubenstein  
Melissa Rubenstein, Esq.  
1650 Market Street  
2500 One Liberty Place  
Philadelphia, PA 19103  
(215) 241-1221

*Attorneys for Defendants Toys "R" Us, Inc., Babies "R" Us, Inc. and Toys "R" Us-Delaware, Inc.*

SO ORDERED:

Cat BBS (1/5/11)  
U.S.D.J.

s/ Kendall S. Zylstra  
Kendall S. Zylstra, Esq.  
Peter R. Kohn, Esq.  
101 Greenwood Avenue  
Suite 600  
Jenkintown, PA 19046  
(215) 277-5770

BERGER & MONTAGUE, P.C.

s/ Eric L. Cramer  
Eric L. Cramer, Esq.  
1622 Locust Street  
Philadelphia, PA 19103  
(215) 875 - 3000

*Attorneys for Plaintiffs*

Copies via ECF on \_\_\_\_\_

Copies via US Mail on \_\_\_\_\_

US\_ACTIVE-104782115.1